

DECEMBER 1956

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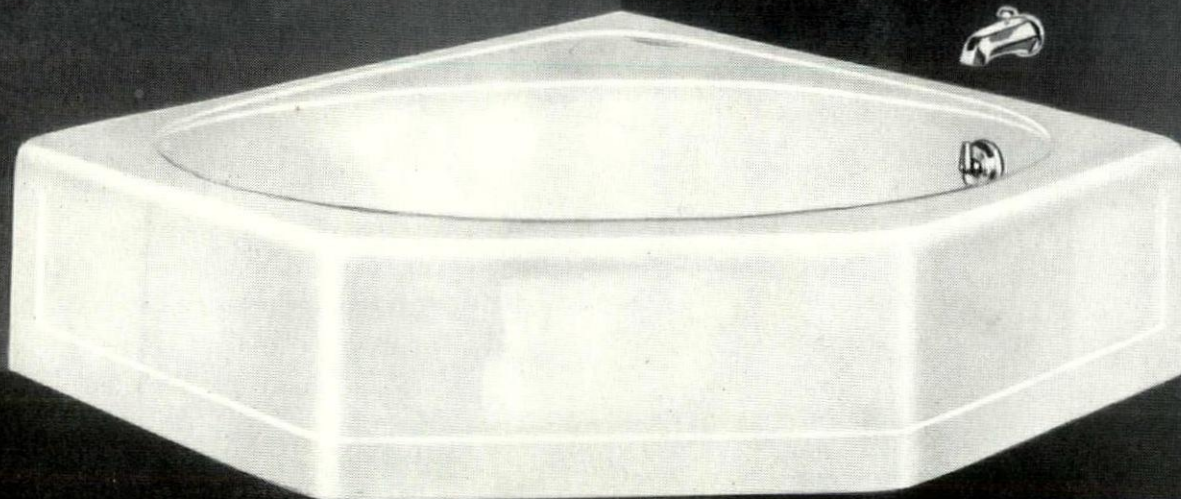
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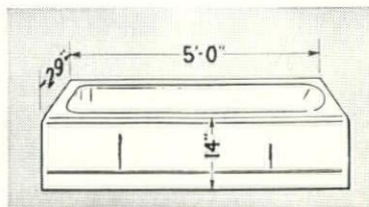
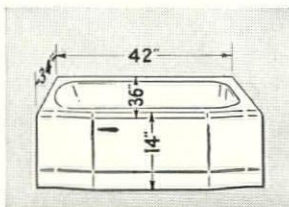
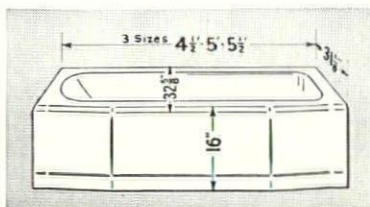
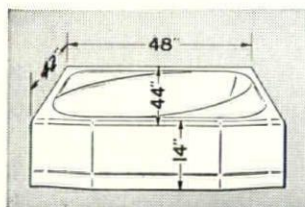
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New Approach Must Be Found

Architects Lose Case Against 'Professional Engineers'

Failure of the case of Purcell vs. Lemke to provide a proper test of the legal effect of Chapter 620 of the Laws of 1955 (which made the practice of all professional engineers coextensive with that of architects) means other ways will have to be found to test the law, according to Gerald J. Rice, counsel for the Wisconsin Architects Association.

In a report to the Board of the Association on December 13, Rice reviewed the Purcell case as follows:

COVER COMMENT

This month's cover shows an interior view of St. Patrick's Church in Menasha after a remodeling by Maury Lee Allen, A.I.A., of Appleton. For more views of this work, showing the "before and after" treatment, turn to Page 7.

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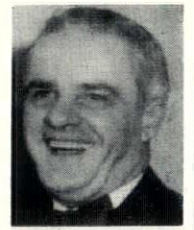
Gentlemen:

The above action was commenced in the Circuit Court of Dane County last summer by Mark Purcell on behalf of all Wisconsin architects against Kenneth Lemke and all other Wisconsin professional engineers and the State Board of Registration of Architects and Professional Engineers. It was contended that the adoption of Chapter 620 of the Laws of 1955 of Wisconsin, which removed the distinction between architects and engineering based on the limitation of engineers to "industrial plants and buildings," in effect created one class of persons; that having created one class of persons it failed to provide for one common set of qualifications, leaving engineers free from having to meet the same qualifications as architects, thereby denying architects the

equal protection of the law required by the State and Federal Constitutions. It was also argued that the provisions of Section 101.31 of the Wisconsin Statutes, and particularly the provisions for the registration of professional engineers, are too vague and uncertain to permit a reasonable construction, and that the Board is obliged to exercise legislative power which must be reserved only to the Legislature. Other arguments were advanced but need not be repeated herein.

After the action was commenced, Deputy Attorney General Warren Resh and the attorneys for Lemke interposed a demurrer which challenged the right of the architects to bring the action. They contended that architects cannot be real parties in interest (Continued on Page 9, Column 1)

PREXY'S CORNER



By Arthur O. Reddemann
President, Wisconsin Chapter, A.I.A.

As our annual meeting will be held in February 1957 — barely three months hence — the time for our committees to give thought to their annual reports comes to mind.

Some of the committees have been busy all year and should have excellent reports and we shall all be interested to hear what has been done.

This has been an eventful year for architects, and 1957 will also be and as all should know marks the first one hundred years of the A.I.A. which anniversary we will acknowledge at our annual meeting.

During the month of November it was my pleasure to meet with the Madison Division and I enjoyed it very much. They had arranged with the Madison Builders Association who were meeting the same evening to see movies that had been taken of Russian housing. After seeing this, we can be rightfully proud of ours.

It was also a pleasure for me to

be a judge in the "Do It Yourself Contest" which the Milwaukee Journal held. The other judges were Joseph E. Rice, President of the Wisconsin Chapter, American Institute of Decorators and Mrs. Helen Powell, Regional Vice President, Women's Council of the National Association of Real Estate Boards.

During the month of October, I had the pleasure of speaking to a group of 32 high school seniors at a girls' parochial high school in Milwaukee.

On November 9 I also attended the Milwaukee Area Steamfitting Apprenticeship Committee graduation ceremonies.

Early this month your committee working together with the A.G.C. will send out a Standard Specification Index for Architects. This should prove a great help to us and the general contractors as well. It is my understanding some of the offices are using it now and seem satisfied. Try it yourself.

Architects and Manufacturers Announce New Ad Competition

The 1957 Building Products Literature Competition, sponsored jointly by The American Institute of Architects and The Producers' Council, Inc., got underway officially this month.

Announcements were mailed to approximately 1500 building materials and equipment manufacturers and advertising agencies with building products accounts. This annual competition has a two-fold purpose: To recognize building products literature and space advertising directed to the architect which is excellent of its technical and informative value and is of material assistance to the architect in the selection and specification of building products; to encourage building materials and equipment manufacturers to adopt a more technical approach in the preparation of building products literature and space advertising for architectural

audiences.

The competition is open to all manufacturers of building materials and equipment, to associations of such manufacturers, and to firms other than building materials manufacturers who have technical literature of informative value to the architect. Only that product literature and space advertising published since December 31, 1955 will be considered. A panel of five nationally prominent architects will judge the submissions. The competition is the ninth to be conducted by the AIA and the manufacturers' organization. Award winning literature and advertising will be exhibited at the A.I.A.'s Centennial Celebration in Washington, D. C., May 14-17, 1957.

Complete details on the competition can be obtained by writing the Publications Department, The Producers' Council, Inc., 2029 K Street, N. W., Washington 6, D. C.

BOARD COMMENDS STATE COMMITTEE

Official commendation from the Board of Directors of the Wisconsin Chapter, A.I.A., was given last month to the chairman and members of the Committee on Relations with the Construction Industry.

The commendation cited the group for its "accomplishment of a Standard Specification Outline."

The resolution in which the commendation was enclosed also urged all Wisconsin A.I.A. members to follow the outline and use it in their work.

AN INVITATION

All past and present members of State Examining Boards for Architects are eligible for membership in the National Society of Architectural Examiners. NSAE president Charles E. Firestone has asked us to announce that all who are planning to come to the Centennial Celebration in Washington in May are invited, together with their wives, to attend NSAE's annual banquet on May 11.




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Reclassification Committee Makes Its Recommendations

The special committee for reclassification of buildings has completed its recommendations, which will be presented to the 1957 session of the State Legislature, Carl H. Gausewitz, chairman of the group, reported last month.

"We have managed to reduce the classification to two classes which is the best we could do. The classifications should be highly acceptable though, because buildings for charitable purposes will pay one-half the rate of all others. Furthermore since most public buildings come under the least costly classification it will look like the Industrial Commission is not doing so much work "for free". I think this had a lot of bearing on the insistence for at least two classifications. It will look like their exempt work drops from 37 per cent to 19 per cent of the work. One standard fee would increase the exempt work to a higher percentage

than 37 per cent. It was further felt that only the most highly skilled architects and engineers would do work in Class A, which reduced the need for inspection, justifying the reduced fees," Gausewitz said.

Following are the recommendations:

8. The reclassification of buildings without a change in the rate structure was found to be inadequate to effect an appreciable gain in revenue as can be seen from the comparative grand totals.

9. By testing the effects of reducing the major classifications from three to two, and increasing the minimum fees, and adjusting the unit rates, the committee estimated that a revenue of \$7,000 per month (the approximate cost of operations) would be produced by the Building Section and exemptions would amount to approximately \$1,450 per month.

(Continued on Page 10, Column 1)

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Reminder

About Honor Awards

Wisconsin A.I.A. members are reminded of the fact that the deadline for submitting entries in the Program of Honor Awards of the Wisconsin Chapter is Jan. 18, 1957.

All entries must be received on or before that date, addressed to The Honor Awards Program, c/o Charles M. Brooks, Lawrence College, Appleton, Wis.

A brochure which completely describes the competition, including eligibility, rules, descriptive data and other features, was mailed to all members of the Wisconsin Chapter in October.

There has been one small change in rules of submission, however, since publication of the brochure. All entries shall be on mounts of masonite tempered presdwood one eighth inch thick. The brochure specified the thickness of the mounts as three eighths inches.

Entries must pertain to work that shall have been completed by Jan. 1, it was stressed.

International Cooperation in Architecture Still is Stressed

A bulletin on the subject of employing foreign architects was released last month by Edwin B. Morris, Jr., assistant to the A.I.A. Executive Director.

In 1952 the Institute published a book entitled "International Cooperation in Architecture." This listed American architects employing foreign architects, American architects willing to accept foreign architects in their offices, American architects willing to correspond with foreign architects, and an alphabetical listing of all the American architects in the directory. The section of the directory listing Americans who are willing to employ foreign architects has been extremely useful. The list has been sent to many architects in other lands who were interested in coming to work in the United States, either on a temporary or a permanent basis. A surprising number of these correspondents have found positions through writing to the architects on the list. The suc-

cess of this operation has done much to enhance U. S. and A.I.A. prestige abroad.

"Over the past four years the list has been kept up to date sporadically. Several architects have requested that their names be removed and others have requested that their names be added. We are now convinced that a complete updating of the material is in order. We enclose a post card with a form on the back to be filled out indicating your interest in this project. Upon receipt of the post cards, we will revise and reprint the section of the manual which has to do with American architects willing to employ foreign architects. I would like to have all replies back here at the Octagon by the fifteenth of December. We will, at that time, delete names of those who wish to withdraw and add names of others who are interested. The names already on the list will be left unless we are notified to the contrary by the fifteenth of December," Morris said.



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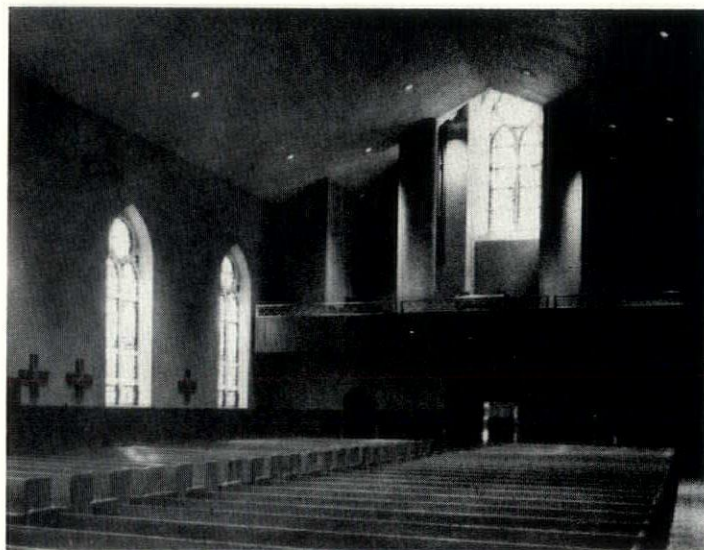
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A Church Remodeled

How an old church received a dramatic face-lifting is shown in these photos. The remodeling was done by Maury Lee Allen, A.I.A., of Appleton, who executed all of the work shown except the mosaic, stained glass, sculpture and stations. Top picture shows the church as it had been before the remodeling, in contrast to its present appearance as shown on the cover of this publication. Another "before and after" contrast can be seen in the other two photos, as the Allen firm completed the touch that combined beauty and simplicity with a deep spiritual feeling.



National Honor Awards Program Information Released to Members

Announcement of the 1957 Honor Awards Program of the A.I.A. was made last month in Washington, D. C.

As in past years, purpose of the competition is to encourage the appreciation of excellence in architecture and to afford recognition of exceptional merit in recently-completed buildings.

All entries shall be buildings designed by registered architects practicing professionally in the United States. The buildings shall have been erected anywhere in the United States or abroad and must have been completed after January 1, 1952.

All entries shall be submitted in

the manner herein specified and prior to the specified date.

The Program is open to buildings of all classifications. It is not necessary that the entrant designate his entry by category. In the judgment equal emphasis will be given to all classifications. An entry may be one building or a related group of buildings forming a single project.

All entries in the preliminary submission must be received by the Committee at The Octagon, 1735 New York Avenue, N.W., Washington 6, D. C., not later than March 1, 1957, to be eligible for an award.

A registration fee of \$10.00 for each building or group of buildings submitted must be paid by the en-

trant at the time entry slips are forwarded. The entry slip and fee must be received by the Committee on or prior to January 7, 1957. Checks or money orders shall be payable to the Honor Awards Committee, A.I.A. No entry fees will be refunded for entries which do not materialize.

The Jury will be appointed by The Board of Directors of The American Institute of Architects. The Jury will name its own chairman. The Jury shall consist of five architects — corporate members of The A.I.A. representing various regions of the country, one of whom must be an architectural educator. Judgment will be made at The Octagon, March 4-6, 1957.



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Lawsuit . . .

From Page 3

because they have no legally protectible interest in jeopardy as a result of the amendment by Chapter 620 of the Laws of 1955. It was claimed that the amendment in no way affected the practice, requirements and registration of architects or limited their activities as architects. It was further claimed that the architects and professional engineers are not a single class, notwithstanding the engineers now enjoy co-extensive rights with the architects.

After a hearing at Madison, Judge Herman W. Sachtjen considered voluminous briefs submitted by counsel for both sides, and finally sustained the demurrer. In his opinion the Court said:

"If the amendment did create a single class as alleged, there would be merit in plaintiff's contention. The court is of the opinion that it did not do so. It is true that the amendment increased the activities of professional engineers to be co-extensive with that of the architects; but a very important distinction still remains, and that is the title each was permitted to use . . . This difference in title is of extreme importance. In the mind of the public, architecture is associated with beauty of design, grace of line or art. Profes-

sional engineering enjoys no such association. This is a tremendous competitive advantage, when it is remembered that by usage over the years the public has been trained to think of and look for architects such as our own nationally known architect, Frank Lloyd Wright, when it comes to building design, rather than professional engineers.

. . . There are other contentions raised by the plaintiff, such as the improper delegation of legislative power to an administrative board; but they have no significance in view of the court's conclusion that the amendment did not affect the classification, and that two separate classes are still maintained."

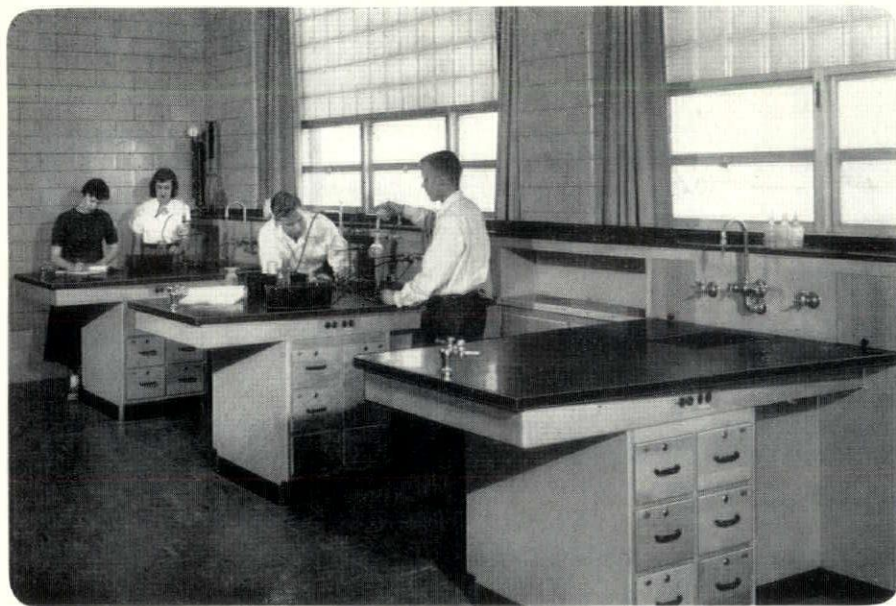
Had a registered professional engineer, engaged in the field of building design and construction, joined Mr. Purcell as a party plaintiff, it is likely that the action would not have been halted by a demurrer on the ground that plaintiffs lacked a legally protectible interest. At least an engineer could have complained that other engineers are in one class with him, and that unequal examinations and qualifications for registration violates the constitutional guaranties of equal protection of the law, which guaranties are a legally protectible interest. As a matter of fact, a registered engineer had committed himself to join in the action, but withdrew at the last minute. In his brief, the attorney general indicated that a professional engineer or a candidate for registration as a professional

engineer would be in a better position to test the law in question. At least as to the objection that the law as written illegally delegates the legislative power to the engineering division of the Board, the Attorney General commented in his brief:

"Only a candidate for registration as a professional engineer whose application was refused on the ground that his experience or education were not of a character satisfactory to the board could properly challenge the legislative standard as unconstitutionally vague and uncertain."

Mr. Wilmarth Jackman of the Madison firm of Toebaas, Hart, Kraege and Jackman, who was associated with the writer in the Purcell vs. Lemke action, is of the opinion that on appeal, the Supreme Court is unlikely to overrule the finding that architects and professional engineers in Wisconsin constitute two separate classes, largely because of the distinction of title. While Mr. Jackman agrees with the writer that for all practical purposes the architect and the professional engineer are one class because of the co-extensive rights and privileges enjoyed, and that the Supreme Court might well come to the same conclusion contrary to the ruling of the lower Court, he believes that the risk is greater that the lower court will be upheld and that an unfavorable decision might make a legislative change all the harder to effect. Accordingly, Mr. Jackman and the writer have advised Mr. Purcell against an appeal.

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Reclassification Committee . . .

From Page 5

The following fee schedule was then recommended for *Building Section* services:

(a) **CLASS A BUILDINGS** shall include hospitals, churches, schools, assembly halls, gymnasiums, and other buildings of this general type.

1. *General Plans*, preliminary or final, examination and approval fees shall be 10 cents per 1,000 cubic feet. The minimum fee shall be \$10 each.

2. *Heating and Ventilation Plans*, examination and approval fees shall be 5 cents per 1,000 cubic feet. The minimum fee shall be \$5 each.

(b) **CLASS B BUILDINGS** shall include factories, machine shops, garages, service stations, mercantile, restaurant, tavern and office buildings, apartments, hotels, motels, and other buildings of this general type.

1. *General Plans*, preliminary and final, examination and approval

fees shall be 20 cents per 1,000 cubic feet. The minimum fee shall be \$10.

2. *Heating and Ventilation Plans*, examination and approval shall be 10 cents per 1,000 cubic feet. The minimum fee shall be \$5.

(c) **FEES** for miscellaneous drawings, computations, and specifications:

1. *Stadia, Grandstands and Bleachers*, \$5 per 1,000 seats or fraction of 1,000 seats.

2. *Structures*, when submitted separately from general building plans, \$10 per structure.

3. *Fire Escapes*, drawings submitted by fabricator, \$5 per fire escape.

4. *Alteration and Repair*, for buildings and structures, \$1.00 for every 1,000, or fraction of \$1,000 estimated cost. The minimum fee shall be \$5 per building.

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MEMORIAL CONTEST TO HONOR FERMI

A Memorial Pavillion honoring Enrico Fermi, who made the first controlled nuclear chain reaction, will be built in Chicago, and Wisconsin A.I.A. members are invited to enter the competition for design of the building.

The Pavilion will form a focal point in the plaza of the Fort Dearborn Project, which will contain the future Governmental and Institutional Center of Chicago in the redevelopment of the north bank of the Chicago River.

Prizes of \$5,000, \$3,000, \$1,000 and five of \$200 will be awarded. For information, please write to the Fermi Memorial Competition — Mr. John O. Merrill, 100 West Monroe Street, Chicago 3, Ill.

WHAT WOMEN WANT

Women usually know what they want so that when 103 of them had an unprecedented opportunity to express their views on housing, there were plenty of specific recommendations that are of interest to

architects engaged in homebuilding.

The findings of the Women's Congress on Housing that was held in Washington last spring have been published by the Housing and Home Finance Agency. The 82-page report which contains a thorough analysis of the significance of those findings may be obtained from the U. S. Government Printing Office, Washington 25, D. C. Price of the report is \$.60 per copy.

LEXSUCO ISSUES A NEW CATALOG

A new catalog describing Lexsuco Fire Retardant Roof Constructions and their applications is just off the press. It is available without cost or obligation to all AIA members and associates in Wisconsin.

"The catalog presents concise factual information including application pictures and specifications of the products that offer proven protection against fire. We sincerely believe this is information of which every architect should be informed," C. R. Emrick, Jr., advertising manager, said.

NEW PRICE LIST ANNOUNCED BY WADE

In an effort to stabilize the drain market, Wade Manufacturing Company, has announced the publication of a new illustrated price list and specification manual, overhauling the list prices for the first time in over 10 years.

The new prices are related to present manufacturing costs. Consequently, the most popular drains have been reduced in price substantially. Other features are the reduction in the number of prices and the simplified pricing of drain variations.

The new price levels were announced at a general sales meeting of Wade's domestic sales force, convened in Elgin, Illinois, on Saturday, October 6, 1956.

In addition to the new prices, each manual is designed to assist the mechanical engineer in the selection of specification drains. The unique format displays the function and suggest specification for each drain, in addition to photo, line drawing, dimensions and prices.



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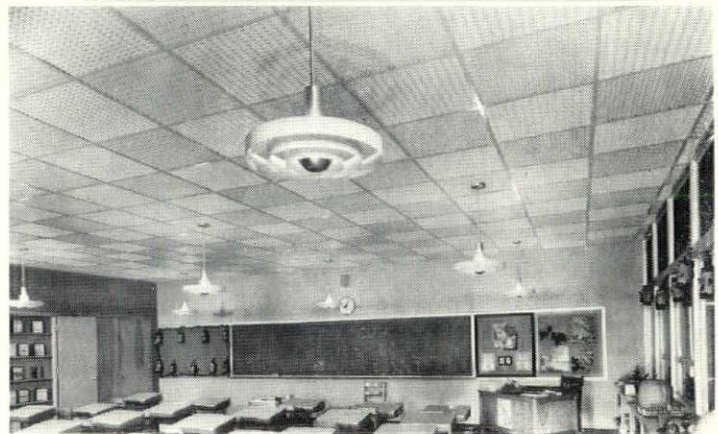
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Architect, Fritz von Grossmann, A.I.A.

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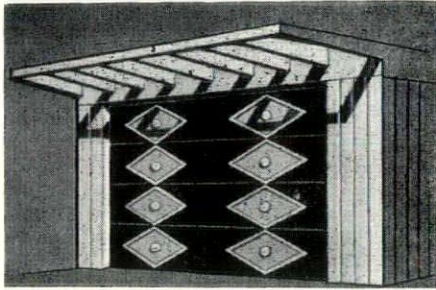
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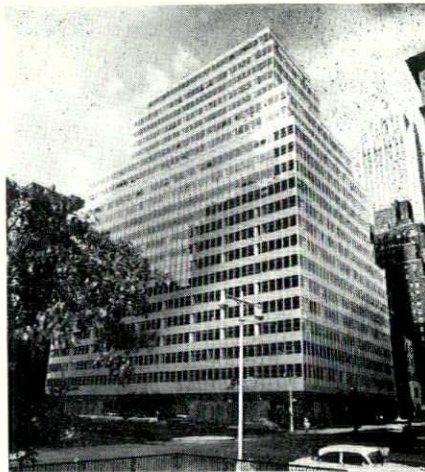
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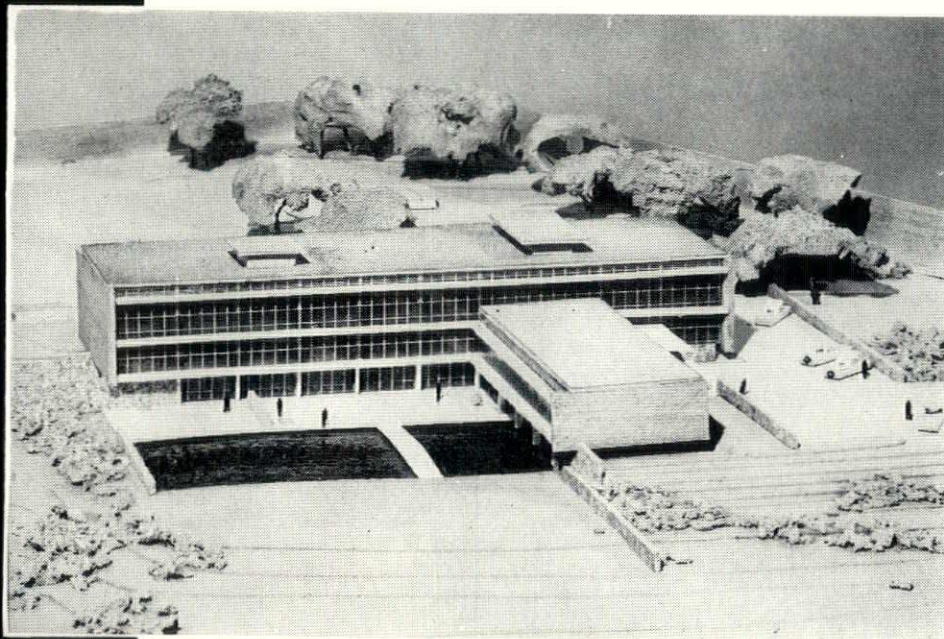
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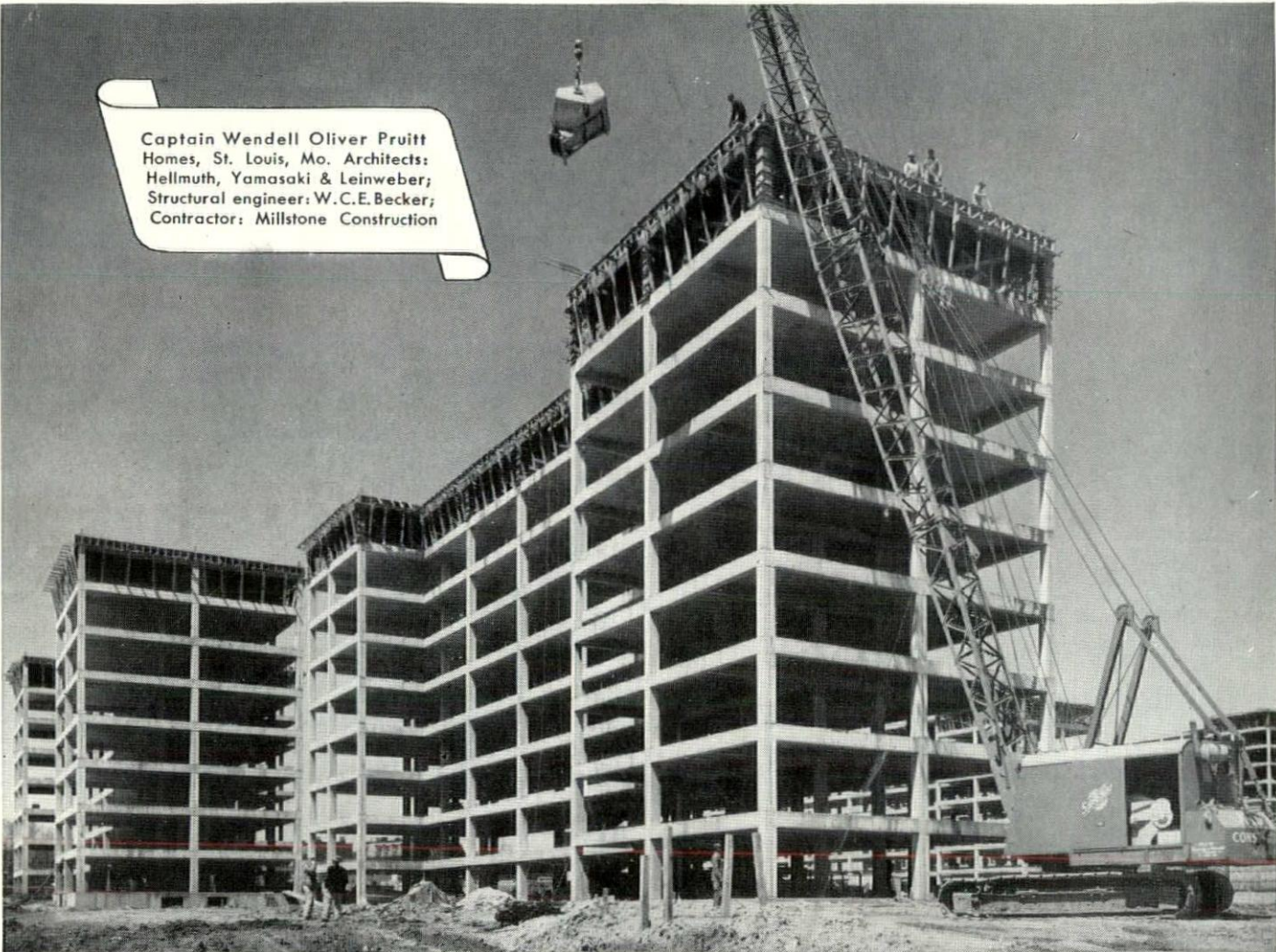
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Captain Wendell Oliver Pruitt
Homes, St. Louis, Mo. Architects:
Hellmuth, Yamasaki & Leinweber;
Structural engineer: W.C.E. Becker;
Contractor: Millstone Construction

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